

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	8:07CR454
Plaintiff,)	
)	
v.)	USM No: 21992-047
)	
DARRYL T. WELLON,)	<u>Kevin A. Ryan</u>
Defendant.)	Defendant's Attorney
Date of previous Judgment: June 17, 2008)	
Date of Amended Judgment: October 7, 2008)	

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of the defendant and the stipulation under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion (Filing No. 50) and the joint stipulation (Filing No. 51) are GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of a total of 58 months is reduced to a total of 53 months the sentence for Count II shall be 46 months). The Clerk is directed to deliver a copy of this Order to the U.S. Marshal.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: <u>21</u>	Amended Offense Level: <u>19</u>
Criminal History Category: <u>IV</u>	Criminal History Category: <u>IV</u>
Previous Guideline Range: <u>57</u> to <u>71</u> months	Amended Guideline Range: <u>46</u> to <u>57</u> months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

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The reduced sentence is within the amended guideline range.

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The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range. The fine range is \$6,000 to \$2,000,000.

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Other (explain):

III. ADDITIONAL COMMENTS

Except as provided above, all provisions of the Amended Judgment dated October 7, 2008, shall remain in effect.

IT IS SO ORDERED.

Dated this 27th day of January, 2012

Effective Date: January 27, 2012

s/ Laurie Smith Camp
Chief United States District Judge